

Below is the Order of the Court.



Christopher M. Alston
U.S. Bankruptcy Judge

(Dated as of Entered on Docket date above)

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

In re:

BRIAN McCracken and NINA
VICENTE,

Debtors.

Bankruptcy No. 16-12736-CMA

**ORDER AUTHORIZING
FRBP 2004 EXAMINATION OF
DEBTORS AND PRODUCTION OF
DOCUMENTS**

THIS MATTER having come on *ex parte* before the Court upon the motion of John Rinaldo ("Rinaldo"), for an order authorizing a Federal Rule of Bankruptcy Procedure ("FRBP") 2004 examination of the Debtors Brian McCracken and Nina Vicente relating to John Rinaldo's claims against the debtors; the Court having considered the file and record herein, and deeming itself fully advised in the premises; and it appearing to the Court's satisfaction that an examination of the Debtors Brian McCracken and Nina Vicente and production of documents, pursuant to FRBP 2004, is proper under the circumstances; now, therefore, it is hereby

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1 ORDERED that Brian McCracken and Nina Vicente, Debtors ("examinees") shall appear
2 for an examination pursuant to FRBP 2004 and produce all documents listed in **Exhibit A** attached
3 hereto at the offices of Lasher Holzapfel Sperry & Ebberson, PLLC, 601 Union Street, Suite 2600,
4 Seattle WA 98101-4000, or at such other place as may be agreed by the parties and counsel in
5 writing, at such dates and times as may be designated in a Subpoena Duces Tecum to be issued
6 and served herein, but Debtor shall produce all requested documents by no later than June 30,
7
8 2016.
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11 //End of Order//
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14 Presented by:

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16 LASHER HOLZAPFEL
17 SPERRY & EBBERSON, P.L.L.C.

18 /s/ Danial D. Pharris

19 Danial D. Pharris, WSBA No. 13617
20 Attorneys for John Rinaldo
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EXHIBIT A

1. All documents relating in any way to any deposits made or received by Brian McCracken and Nina Vicente, (referred to herein as "Debtors") and/or Tavern Law, LLC, The Old Sage LLC, Flyte, LLC and/or any other entity (whether corporation, limited liability company or otherwise) which the Debtors had/have any ownership interest, or controlled by the debtors, during the past 24 months to the present.
2. All documents pertaining to any debts and any payments on the debts owed by Debtors and/or Tavern Law, LLC, The Old Sage LLC, Flyte, LLC and/ any other entity (whether corporation, limited liability company or otherwise) which the Debtors had/have any ownership interest, including, but not limited to, bank records, canceled checks, bank statements, promissory notes, correspondence, memoranda, agreements, account register, spreadsheet, whether electronic or written during the past 24 months to the present.
3. All federal and state tax returns filed by Debtors and/or Tavern Law, LLC, The Old Sage LLC, Flyte, LLC and/or any other entity (whether corporation, limited liability company or otherwise) which the Debtors had/have any ownership interest, individually or on behalf of any other entity, including those filed on behalf of any partnership or corporation in which Debtors have an interest, together with accompanying worksheets, forms, and schedules, including unfiled returns or other tax documents for the past four (4) tax years including this year.
4. All savings, checking and/or other deposit account records of Debtors and/or Tavern Law, LLC, The Old Sage LLC, Flyte, LLC and/or any other entity (whether corporation, limited liability company or otherwise) which the Debtors had/have any ownership interest, individually or with any other person or entity, including any partnership in which Debtors have an interest, have had an interest, or have signature authority, during the past twenty four (24) months to the present, regardless of whether such account or accounts are now closed, including passbooks, checkbooks or check registers, deposit slips, deposit receipts, monthly account statements, canceled checks and other records of deposit and withdrawal.
5. All bank records identified in 4, above, which refer or relate to or otherwise evidence Debtors and/or Tavern Law, LLC, The Old Sage LLC, Flyte, LLC and/or any other entity (whether corporation, limited liability company or otherwise) which the Debtors had/have any ownership interest, use of any and all bank accounts of any other person or entity, in which Debtors have signature authority or upon which Debtors' names do not appear as an owner, but in which or from which Debtors have deposited or withdrawn funds, or in which or from which funds has been deposited or withdrawn for Debtors' use or on Debtors' behalf during the past twenty four (24) months to the present.
6. All financial statements, loan applications, and/or records containing financial information of any kind, description and nature of or relating to Debtors and/or Tavern Law, LLC, The Old Sage LLC, Flyte, LLC and/or any other entity (whether corporation, limited liability company or otherwise) which the Debtors had/have any ownership interest, prepared during the past four (4) years by Debtors or any other person, whether or not submitted by

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Debtors or Tavern Law, LLC, The Old Sage LLC, Flyte, LLC or any other company controlled by the debtors or on Debtors' behalf to banks or other lending institutions, or to any other person or entity, in connection with any application for credit, loans, tenancy, or prepared for any other consumer or business purposes.

7. All ledgers, books, accounts, cash receipt journals, accounts receivable, accounts payable, and all other records of account kept or maintained by Debtors and/or Tavern Law, LLC, The Old Sage LLC, Flyte, LLC and/or any other entity (whether corporation, limited liability company or otherwise) which the Debtors had/have any ownership interest, or under their supervision, direction or control, during the past 24 months to the present.
8. All records of any real property owned by Debtors or any entity in which Debtors have an interest, including Debtors' interest in real property owned, and any records of appraisal, valuation, listing for sale, or sale of any real property interests of Debtors during the past 24 months to the present.
9. An itemized list and all records of all accounts receivable, notes receivable, monies due, monetary claims, lien claims, employment agreements, subcontractor agreements, consulting agreements, other agreements for compensation, contracts for which payment is or may reasonably be anticipated, and records documenting any other liquidated or unliquidated, contingent or non-contingent claims and indebtedness now due or which may in the future become due and owing to Debtors or any entity in which Debtors have an interest, including the name and address of the party obligated to pay Debtors or the entity in which they have any interest.
10. An itemized list of and all records or documents evidencing Debtors' ownership of or interest in any personal property (including partnership interest) during the past 24 months to the present, including, without limitation, automobiles, vehicles, trucks, trailers, tools, machinery, business equipment, construction equipment, inventory, furniture, computers, stocks, bonds, or any other personal property, each item's current location, and names and addresses of the person(s) presently in possession of each item of personal property.
11. All documents which refer or relate to or otherwise evidence any income or assets of Debtors and/or Tavern Law, LLC, The Old Sage LLC, Flyte, LLC and/or any other entity (whether corporation, limited liability company or otherwise) which the Debtors had/have any ownership interest during the past 24 months to the present not disclosed in documents requested above, including, but not limited to, all pay stubs, tax forms, financial documents, bank account statements, checkbooks, cancelled checks, accounts receivable, commissions due, stock certificates and agreements, partnership shares, and other assets, including the name and address of the name and location of each such source of income or asset.
12. All documents evidencing Debtors', or any entity in which Debtors have an interest, contracts and accounts payable aged more than 90 days, demands for payment made by creditors, and lawsuits threatened, served and/or filed, and judgments entered against Debtors within the past 18 months, showing the date, court and case number of each.

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13. All documents evidencing the date, face amount, and named assured on any bonds issued on behalf of Debtors or any entity in which Debtors have an interest within the past 12 months, including, without limitation, surety bonds, performance bonds, cash bonds, litigation bonds, and other bonds.
14. All documents which refer or relate to or otherwise evidence Debtors' ownership and/or operation of any business, or in which Debtors are or have been a principal, vice-principal, director, officer, shareholder, member, partner, agent, or registered agent during the past three (3) years, inclusive, including for each, all master business licenses and applications, partnership agreements, joint venture agreements, limited liability company documents, articles of incorporation, bylaws, compensation agreements, and other documents which name Debtors or evidence Debtors' acting for or on behalf of the business in any respect during the relevant time period.
15. All documents related in any way to Tavern Law, LLC, The Old Sage, LLC, Flyte, LLC, or any other entity in which Debtors have/had an interest within the past 24 months.
16. All records which evidence Debtors' earnings during the past three (3) years, inclusive, including, without limitation, documentation of wages, salary, draws, dividends, distributions, consulting fees, commissions, and all compensation for any labor, services, contracting, employment, manufacture, distribution, consulting, or otherwise, including documents which refer or relate to or otherwise evidence any and all sources of income of Debtors or any other company controlled by the debtors as of the date of the scheduled examination.
17. All records which evidence charges incurred and payments made by Debtors or Tavern Law, LLC, The Old Sage LLC, Flyte, LLC or any other company controlled by the debtors, on any credit accounts, including but not limited to any and all credit card accounts, open credit accounts, lines of credit, and personal loans, including, but not limited to, account statements, receipts, cancelled checks, statements of account, credit applications, and receipts within the past 12 months.
18. All records which evidence any current interest of Tavern Law, LLC, The Old Sage LLC, Flyte, LLC and/or any other entity (whether corporation, limited liability company or otherwise) which the Debtors had/have any ownership interest, in any business ventures, personal property, or real property, wherever located.
19. All records which evidence the current value of the Debtors and/or Tavern Law, LLC, The Old Sage LLC, Flyte, LLC and/or any other entity (whether corporation, limited liability company or otherwise) which the Debtors had/have any ownership interest, including all appraisals.